

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

AUSTIN EDWARD LIGHTFEATHER,

Plaintiff,

vs.

BRENDA MAE STINSON, and AMY, nurse  
aid, individual compacity;

Defendants.

**8:22CV309**

**MEMORANDUM AND ORDER**

On August 24, 2022, the Plaintiff filed his Complaint under [42 U.S.C. § 1983](#), [Filing No. 1](#), and a supplement the following day, [Filing No. 2](#). On August 29, 2022, the Court ordered Plaintiff to submit the \$402.00 filing fee or submit a request to proceed in forma pauperis within 30 days. [Filing No. 5](#). In its Order the Court also notified Plaintiff that failure to comply would result in dismissal of the matter without further notice. *Id.* To date, Plaintiff has not paid the filing fee, filed a motion to proceed in forma pauperis, or taken any other action in this matter.

IT IS THEREFORE ORDERED that:

1. This matter is dismissed without prejudice because Plaintiff failed to prosecute it diligently and failed to comply with this Court's orders.
2. The Court will enter judgment by a separate document.

3. Any notice of appeal filed by Plaintiff must be accompanied by the \$505.00 appellate filing fee because Plaintiff will not be allowed to proceed in forma pauperis on appeal. See [28 U.S.C. §1915\(g\)](#).

Dated this 11th day of October, 2022.

BY THE COURT:

A handwritten signature in black ink, appearing to read "J F Bataillon", with a stylized flourish at the end.

Joseph F. Bataillon  
Senior United States District Court